

JAN 12 2005

FACSIMILE TRANSMITTAL FORM	Application Number	10/681850
	Filing Date	October 8, 2003
	First Named Inventor	Jones, Edward L.
	Art Unit	2873
	Examiner Name	Deborah A. Raizen
Fax: 703-872-9306	Attorney Docket Number	58616US002
Total Number of Pages in This Submission: 3		
Date: January 12, 2005		Attorney for Applicant: George W. Jonas

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Amendment Transmittal	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s)	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Appeal Communication to Technology Center (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosures: Response to Restriction Requirement
<input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR § 1.52 or 1.53	<input type="checkbox"/> Request for Refund	
	<input type="checkbox"/> Request for Continued Examination (RCE) Transmittal	
<input type="checkbox"/> Drawings	<input type="checkbox"/> After Allowance Communication to Technology Center	
REMARKS:		

THE INFORMATION CONTAINED IN THIS FACSIMILE TRANSMISSION
MAY CONTAIN CONFIDENTIAL OR LEGALLY PRIVILEGED INFORMATION
INTENDED ONLY FOR THE PERSON OR ENTITY NAMED BELOW.

If you are not the intended recipient, please do not read, use, disclose, distribute or copy this transmission.
If this transmission was received in error, please immediately notify me by telephone directly at (651) 736-6933 or
651-733-1500, and we will arrange for its return at no cost to you.

RECEIVED
CENTRAL FAX CENTER

JAN 12 2005

32692

Customer Number

Patent
Case No.: 58616US002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: JONES, EDWARD L.

Application No.: 10/681850

Group Art Unit: 2873

Filed: October 8, 2003

Examiner: Deborah A. Raizen

Title: A PLASTIC, THERMALLY STABLE, LASER DIODE COUPLER

RESPONSE TO RESTRICTION REQUIREMENTCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]	
I hereby certify that this correspondence is being:	
<input type="checkbox"/>	deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
<input checked="" type="checkbox"/>	transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.
January 12, 2005	Signed by: <i>[Signature]</i>
Date	Signed by: SHERRIE W. JOHNSON

Dear Sir:

This is in response to the Office Action mailed December 14, 2004. Claims 1-45 are pending. Claims 1-45 were restricted under 35 USC § 121 as follows:

- I. Claims 1-27 are said to be drawn to a light emitting unit, classified in Class 385, subclass 33;
- II. Claims 28-45 are said to be drawn to lens assembly, classified in Class 359, subclass 717.

Election

In response, Applicants elect Group I with traverse.

Were restriction to be effected between the claims in Groups I and II, a separate examination of the claims in Groups I and II would require substantial duplication of work on the part of the U.S. Patent and Trademark Office. Even though some additional consideration would be necessary, the scope of analysis of novelty of all the claims of Groups I and II would have to be as rigorous as when only the claims of Group I were being considered by themselves. Clearly, this duplication of effort would not be warranted where these claims of different categories are so interrelated. Further, Applicants submit that for restriction to be effected between the claims in

Application No.: 10/681850

Case No.: 58616US002

Groups I and II, it would place an undue burden by requiring payment of a separate filing fee for examination of the nonelected claims, as well as the added costs associated with prosecuting two applications and maintaining two patents.

Conclusion

Applicants elect Group I. Continued prosecution of this application is respectfully requested.

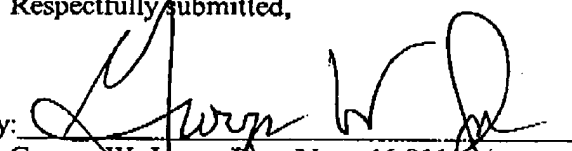
It is believed that no fee is due; however, in the event a fee is required, please charge the fee to Deposit Account No. 13-3723. The Examiner is invited to contact the undersigned at the indicated telephone number with questions that can be resolved with a simple teleconference.

Respectfully submitted,

Date

1/12/05

By:



George W. Jonas, Reg. No.: 46,811

Telephone No.: (651) 736-6933

Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: 651-736-3833